



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

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COMMENTS INVITED ON APPLICATION OF KIN NETWORK, INC. TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 10-57
Comp. Pol. File No. 921

Comments Due: April 12, 2010

Section 214 Application **Applicant: KIN Network, Inc.**

On **November 5, 2009**, **KIN Network, Inc.** (KIN or Applicant), located at **One Allied Drive, Little Rock, AR 72203**, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain domestic telecommunications services in Kansas. By amendments filed January 12, 2010 and February 12, 2010, KIN provided updated information regarding corrected notice to customers. Accordingly, KIN's application is deemed complete as of February 12, 2010.

KIN indicates that it currently provides virtual equal access tandem switching services (including InterLATA and IntraLATA switching) in Kansas. KIN states, however, that it plans to discontinue providing these services to all interexchange carrier and local exchange carrier (LEC) customers that use its tandem in Moundridge, Kansas. KIN asserts that the public convenience and necessity will not be impaired by this proposed discontinuance because there are alternative providers of equal access and tandem switching services in Kansas. KIN indicates that it plans to discontinue service on or after July 9, 2010, subject to regulatory approval.¹ KIN states that it has contacted all affected rural LECs directly connected to its tandem. Specifically, KIN represents that it sent notices to all affected customers by U.S. Mail on November 3, 2009, and that it followed up with corrected notices on January 8, 2010 and January 28, 2010. KIN maintains that all affected rural LECs directly connected to the tandem switch have committed to begin the process of transitioning to alternative providers and believe that they can accomplish the objective by the proposed discontinuance date. KIN states that it is considered dominant with respect to the services to be discontinued.

In accordance with section 63.71(c) of the Commission's rules, KIN's application will be deemed to be granted automatically on the 60th day after the release date of this public notice, unless the Commission notifies KIN that the grant will not be automatically effective. In its amended application

¹ In its original application, KIN proposed a discontinuance date of April 7, 2010. In its January 8, 2010 revised notice to customers and January 12, 2010 amendment to the application, however, the proposed discontinuance date was changed to July 9, 2010 in order to accommodate certain affected rural LEC customers.

and notice, KIN indicates that it anticipates discontinuing service on or after July 9, 2010, subject to regulatory approval. Accordingly, pursuant to section 63.71(c) and the terms of KIN's application and notice, absent further Commission action, KIN may discontinue its virtual equal access tandem switching services in Kansas on or after **July 9, 2010**. The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **April 12, 2010**. Such comments should refer to **WC Docket No. 10-57 and Comp. Pol. File No. 921**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

Parties who choose to file by paper must send an original and four copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. **Effective December 28, 2009, the Commission's contractor will only receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at the FCC Headquarters building, located at 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554.** The filing hours are Monday through Friday, 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C140, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM. People with Disabilities: To request materials in accessible formats for people

with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or Kimberly Jackson, (202) 418-7393 (voice), kimberly.jackson@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. The tty number is (202) 418-0484. For further information on procedures regarding section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud.

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